

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.
2869

In Re Application Of: STEINHARDT

Serial No.
10/760,017

Filing Date
01/16/2004

Examiner

Group Art Unit

Title: FLEXIBLE AUDITORY OSSICLES PROSTHESIS



Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- the statement specified in 37 CFR 1.97(e);

OR

- the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
2869

In Re Application: **STEINHARDT**

Serial No.

10/760,017

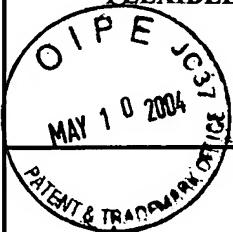
Filing Date

01/16/2004

Examiner

Group Art Unit

FLEXIBLE AUDITORY OSSICLES PROSTHESIS



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of _____ is attached.
- The Director is hereby authorized to charge and credit Deposit Account as described below.
 - Charge the amount of _____
 - Credit any overpayment.
 - Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____) on _____

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Signature

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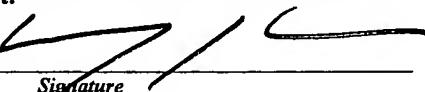
I certify that this document and fee is being deposited on **MAY 6, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

MICHAEL J. STRIKER

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.


Signature

Dated: **MAY 6, 2004**

CC:

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:

Group: Attorney Docket # 2869

Applicant(s): STEINHARDT, U., ET AL

Serial No.: 10/760,017

Filed: 01/16/2004

For : FLEXIBLE AUDITORY OSSICLES PROSTHESIS



INFORMATION DISCLOSURE STATEMENT

May 6, 2004

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R S:

- In accordance with the Duty of Disclosure, Applicant(s) submit(s) herewith a copy of a Foreign Search Report in a counterpart application and copies of the reference(s) indicated therein.
- In the event that the Foreign Search Report is in a foreign language, a translation thereof is herewith submitted.
- Attached hereto is a FORM PTO 1449 listing the references.
- Attached hereto is a copy of a reference cited in the specification of the application as filed. The specification itself recites the relevance of these documents, and pursuant to M.P.E.P. Section 609 A (3) this represents an acceptable Statement of Relevancy. The reference(s) appear(s) at the following page(s) and line(s) of the specification:
- Applicant petitions for consideration of this Information Disclosure Statement since it is being submitted after receipt of an office action. It is respectfully requested that the required fee be charged to the account of the undersigned: 19-4675.

page 2 of 2

- Attached hereto are copies of references cited which may be pertinent to this application. Since the references are in the English language, no statement of relevancy is submitted.
- Attached hereto is a copy of the Office Action issued in the corresponding German and European applications, together with a translation thereof and copies of the references cited therein. A list of the cited references is also attached.
- Attached hereto copies of references cited which may be pertinent to this application. A Certified English translation of the reference is also attached.
- Attached hereto is a Statement of Relevancy and copies of references cited therein.
- Relevancy is indicated in an English language abstract and an English equivalent attached hereto.

Respectfully submitted,



Michael J. Striker
Attorney for Applicant(s)
Reg. No. 27233

| INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small> | | | | ATTY DOCKET NO. | SERIAL NO. | | | |
|--|--|-----------------|------------|------------------------|------------|----------|-------------|----|
| | | | | 2869 | 10/760,017 | | | |
| | | | | APPLICANT(S) | | | | |
| | | | | STEINHARDT, U., ET AL | | | | |
| | | | | FILING DATE | GROUP | | | |
| | | | | 01/16/2004 | | | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | | |
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| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | | 197 44 789 A1 | 04/16/1998 | DE ENGLISH ABSTRACT) | | | ✓ | |
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| | | 1 504 573 A2 | 11/22/2000 | DE | | | ✓ | |
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| OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i> | | | | | | | | |
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| EXAMINER | | | | DATE CONSIDERED | | | | |
| <small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small> | | | | | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.